

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Kousetsu SAI

Serial No. 10/763,275

Group Art Unit: 2434

Confirmation No. 6491

Filed: January 26, 2004

Examiner: BAYOU, YONAS A

For: SECURITY SYSTEM, INFORMATION MANAGEMENT SYSTEM, ENCRYPTION SUPPORT SYSTEM, AND COMPUTER PROGRAM PRODUCT

PETITION UNDER 37 CFR 1.181 TO WITHDRAW THE HOLDING OF ABANDONMENT

BASED ON FAILURE TO RECEIVE OFFICE ACTION

MAILSTOP: Petition

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

The Office issued a Notice of Abandonment on March 19, 2010 asserting as a basis of the Abandonment that a reply to the Office Action mailed September 11, 2009 was not received by the USPTO.

Attached is a Declaration of Joseph Berry, the docketing manager at law firm of Staas & Halsey LLP, along with (1) a copy of the Staas & Halsey LLP patent Docketing computer database reports including a computer system based daily incoming docket report ("PTO Mail Received") of the master docket records of Staas & Halsey LLP showing all incoming mail which has a USPTO mailing date of September 11, 2009 by docket number and USPTO serial number; (2) a copy of the master data center (mdc) docketing software master docket record docket report ("Patent Data") showing the history of the above-identified application; and (3) copies of master docket record reports ("Staas & Halsey E-Mail Daily Patent") showing all replies, by docket number and USPTO serial number, docketed for date December 11, 2009, which is three-months from the mail date of the non-received Office Action, where the non-received Office action would have been entered had it been received, as well as for the dates of December 10, 2009 and December 12, 2009. As shown therein, based on a search of the Staas

& Halsey LLP docket records including the docket reports from the Docketing computer database, an Office Action dated September 11, 2009 was never received at Staas & Halsey LLP or by the undersigned practitioner (identified by name in the attached master data center (mdc) as a responsible attorney), as the correspondence address of record. In addition, the undersigned practitioner conducted a search of the file jacket of this application including application contents, and the Office Action of September 11, 2009 was not found therein.

Applicant respectfully requests that the Notice of Abandonment be withdrawn and the Office Action of September 11, 2009 to be re-mailed and the period for response to be reset to expire from the date the Office Action is re-mailed.

Respectfully submitted,
STAAS & HALSEY LLP



Date: April 19, 2010

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